

under conditions of the Budapest Treaty, and has been assigned the Accession No. V92012803. However this

**IN THE CLAIMS**

Amend the claims as follows:

Amend claims 43 and 52 as follows:

43. (Amended) A method of treating a metastatic tumour which occurs in but does not originate from the central nervous system of a human which method comprises the step of administering to the said human an effective amount of a mutant herpes simplex virus type 1 which has a non-functional  $\gamma$ 34.5 gene in the long repeat region R<sub>L</sub> [said gene having been modified by deletion, insertion or substitution such that it does not express the normal product or a functionally equivalent product of said gene and wherein the mutant HSV-1 infects and replicates within the tumour cells of the tumour.]

52. (Amended) A method of treating a melanoma cancer in a human which method comprises the step of administering to the said human an effective amount of a mutant herpes simplex virus type 1 which has a non-functional  $\gamma$ 34.5 gene in the long repeat region R<sub>L</sub> [said gene having been modified by deletion, insertion or substitution such that it does not express the normal product or a functionally equivalent product of said gene and wherein the mutant HSV-1 infects and replicates within the tumour cells of the tumour.]